REMARKS

1. Oath/Declaration

The Office Action indicates that there is no oath or declaration on record. But a Declaration was filed with a Response to a Notice to File Missing Parts of Application on October 17, 2002 and a copy of the Declaration was filed with a Petition to Revive on January 9, 2003. A copy of the Declaration as filed is accordingly attached to complete the record.

2. Claims

Claims 1 – 7 and 18 – 23 have been examined and stand reject under 35 U.S.C. §102(e) as anticipated by U.S. Pat. Publ. No. 2002/0123969 ("Ericksen"). The rejections are respectfully traversed.

Independent Claims 1 and 18 each recite a limitations directed to adjusting parameter values of a financial account with a "method override." As the application explains, and as the claims recite, a financial account is assigned a processing method that sets one or more parameter values, which are subject to modification according to the method override. This combination is not taught or suggested by Ericksen, which is instead directed to a loan-processing method that structures loans for individuals on a customized basis.

While there may be a superficial similarity in that the result of both the invention as claimed and of what is taught by Ericksen is a financial account customized according to characteristics of specific customers, they differ in that Ericksen's customization is achieved *ab initio*. That is, what Ericksen teaches is the initial structuring of a loan based on such individual characteristics:

A unique aspect of the present invention is that it prices customers as individuals, rather than as one of a pool of customers, such that individual loan terms may be

customized for each customer. Thus, the present invention offers an individual
risk based pricing model that makes the loan process more objective by
introducing the same level of rigor to the pricing of loan terms as in the
development of a credit score.
(Erickson, ¶12).

This methodology never "assign[s] to the financial account an account processing
method that sets one or more parameter values of the financial account" that are subject to a
method override as embodied by such limitations as "the account processing method having an
associated method override that modifies at least one of the parameter values set by the account
processing method." Instead, Ericksen applies its methodology to assign a customized
processing method that is not subject to override.

For at least these reasons, independent Claims 1 and 18 are believed to be
patentable over the cited art, and the various dependent claims are believed to be patentable by
virtue of their dependence from patentable claims.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this
Application are in condition for allowance. The issuance of a formal Notice of Allowance at an
early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of
this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

/Patrick M. Boucher/

Patrick M. Boucher
Reg. No. 44,037

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
PMB:pmb   61232110 v1